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**STATE OF IOWA**

# **Senate Journal**

**THURSDAY, FEBRUARY 26, 2015**

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## JOURNAL OF THE SENATE

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FORTY-SIXTH CALENDAR DAY  
TWENTY-NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, February 26, 2015

The Senate met in regular session at 9:03 a.m., President Jochum presiding.

Prayer was offered by Reverend Clarence De Boef, retired pastor from the United Methodist Church in West Des Moines, Iowa. He was the guest of Senator Rozenboom.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Claire Eide.

The Journal of Wednesday, February 25, 2015, was approved.

### HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 25, 2015, **insisted** on its amendment to [Senate File 171](#), a bill for an act establishing the state percent of growth and including effective date provisions, and the Conference Committee members on the part of the House are: the representative from Linn, Representative Paulsen; the representative from Clayton, Representative Ruff; the representative from Plymouth, Representative Soderberg; the representative from Cerro Gordo, Representative Steckman; and the representative from Cerro Gordo, Representative Upmeyer.

ALSO: That the House has on February 25, 2015, **insisted** on its amendment to [Senate File 172](#), a bill for an act establishing the categorical state percent of growth and including effective date provisions, and the Conference Committee members on the part of the House are: the representative from Linn, Representative Paulsen; the representative from Clayton, Representative Ruff; the representative from Plymouth, Representative Soderberg; the representative from Cerro Gordo, Representative Steckman; and the representative from Cerro Gordo, Representative Upmeyer.

## APPOINTMENT OF CONFERENCE COMMITTEES

The Chair announced the following conference committees on **Senate Files 171 and 172** on the part of the Senate: Senators Quirmbach, Chair; Bowman, Gronstal, Dix, and Sinclair.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:19 a.m. until 1:00 p.m., Monday, March 2, 2015.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS

**Convened:** Wednesday, February 25, 2015, 4:05 p.m.

**Members Present:** Dvorsky, Chair; Danielson, Vice Chair; Chapman, Ranking Member; Bisignano, Bolkcom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach.

**Members Absent:** None.

**Committee Business:** Discussed [SF 140](#) and [SF 177](#).

**Adjourned:** 4:25 p.m.

#### COMMERCE

**Convened:** Thursday, February 26, 2015, 1:05 p.m.

**Recessed:** 1:10 p.m.

**Reconvened:** 1:35 p.m.

**Members Present:** Petersen, Chair; McCoy, Vice Chair; Anderson, Ranking Member; Allen, Bertrand, Bolkcom, Courtney, Mathis, Schneider, Schoenjahn, Seng, Sinclair, Smith, Soddors, and Zumbach.

**Members Absent:** None.

**Committee Business:** Considered [SF 168](#) and SSBs 1032, 1086, and 1156.

**Adjourned:** 1:50 p.m.

**HUMAN RESOURCES**

**Convened:** Wednesday, February 25, 2015, 3:15 p.m.

**Members Present:** Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm.

**Members Absent:** Chelgren (excused).

**Committee Business:** Passed [SF 31](#), as amended. Passed [SSB 1165](#), as amended; and [SSB 1198](#).

**Adjourned:** 3:45 p.m.

**STATE GOVERNMENT**

**Convened:** Wednesday, February 25, 2015, 2:05 p.m.

**Recessed:** 2:10 p.m.

**Reconvened:** 2:45 p.m.

**Members Present:** Danielson, Chair; Courtney, Vice Chair; Bertrand, Ranking Member; Chapman, Dearden, Dvorsky, Feenstra, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver.

**Members Absent:** Bowman (excused).

**Committee Business:** Passed [SF 10](#). Passed SSBs 1123, 1130, 1133, 1152, 1173, and 1174.

**Adjourned:** 3:15 p.m.

**INTRODUCTION OF RESOLUTION**

[Senate Joint Resolution 9](#), by Guth, Zaun, Rozenboom, Chelgren, Segebart, Johnson, Sinclair, Kraayenbrink, and Seng, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the unalienable right to life.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

## INTRODUCTION OF BILLS

[Senate File 315](#), by Smith, a bill for an act relating to the fee for new registration for a vehicle purchased within sixty days of the sale of another vehicle by the same owner.

Read first time under Rule 28 and referred to committee on **Transportation**.

[Senate File 316](#), by Schultz, a bill for an act relating to carrying a firearm while operating or riding an all-terrain vehicle.

Read first time under Rule 28 and referred to committee on **Transportation**.

[Senate File 317](#), by Schultz, a bill for an act relating to the continued validity of certain special education instructional endorsements to a practitioner license issued by the board of educational examiners.

Read first time under Rule 28 and referred to committee on **Education**.

[Senate File 318](#), by Schultz, a bill for an act requiring that frozen food locker plants maintain evidence of financial responsibility.

Read first time under Rule 28 and referred to committee on **Agriculture**.

[Senate File 319](#), by Schultz, a bill for an act relating to the possession of a pistol, revolver, or ammunition by a person under fourteen years of age.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 320](#), by Hogg, a bill for an act relating to civil liability of a manufacturer or distributor of a synthetic cannabinoid.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 321](#), by committee on State Government, a bill for an act concerning financial incentives received under a master contract established by the department of administrative services.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 322](#), by committee on State Government, a bill for an act requiring that a primary runoff election be held in the event of an inconclusive primary election for certain offices, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 323](#), by committee on Appropriations, a bill for an act concerning lottery games and revenue for support of veterans.

Read first time under Rule 28 and **placed on Appropriations calendar**.

[Senate File 324](#), by Smith, a bill for an act relating to the Iowa educational savings plan trust by modifying the allowable method of contribution to the trust.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 325](#), by Smith, a bill for an act establishing a pilot project for transportation services for persons who require medical transportation due to a substance-related disorder or a mental illness.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 326](#), by Taylor, a bill for an act relating to collectors of antique vehicles, providing fees, and making a penalty applicable.

Read first time under Rule 28 and referred to committee on **Transportation**.

[Senate File 327](#), by Smith, a bill for an act relating to the targeted jobs withholding tax credit program by modifying the number and qualifications of cities and types of businesses that may participate in the program, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Economic Growth**.

[Senate File 328](#), by committee on State Government, a bill for an act related to absentee ballot deadlines.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 329](#), by committee on Human Resources, a bill for an act relating to hospital and long-term care pharmacy practice for pneumococcal vaccines.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 330](#), by Smith, a bill for an act relating to filing deadlines for the disabled veteran homestead tax credit and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 331](#), by committee on State Government, a bill for an act permitting electronic voter registration and including penalties and effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 332](#), by committee on State Government, a bill for an act concerning department of administrative services' procedures regarding the designation of individuals as ineligible for state employment and the public solicitation of individuals to fill certain state employment vacancies.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 333](#), by committee on Appropriations, a bill for an act relating to the acceptance of eligible patients into state mental health institutes and including effective date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar**.

[Senate File 334](#), by committee on Human Resources, a bill for an act relating to sexual orientation change efforts and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 335](#), by committee on Human Resources, a bill for an act relating to the release of certain information to a procurement organization.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 336](#), by committee on Judiciary, a bill for an act relating to civil protective orders in sexual abuse cases, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 337](#), by committee on State Government, a bill for an act providing for the licensing of polysomnographic technologists and exceptions thereto, making penalties applicable, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 338](#), by committee on State Government, a bill for an act providing for charitable food donations to food banks and similar organizations, and providing for appropriations.

Read first time under Rule 28 and **placed on calendar**.



[Senate File 339](#), by Guth, a bill for an act providing that a commercial breeder of dogs or cats may be inspected by a licensed veterinarian in lieu of the department of agriculture and land stewardship.

Read first time under Rule 28 and referred to committee on **Agriculture**.

[Senate File 340](#), by Guth, a bill for an act relating to commercial establishments selling dogs or cats to consumers, by providing for express warranties covering the condition of the dogs or cats, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Agriculture**.

[Senate File 341](#), by Guth, a bill for an act restricting certain persons regulated by the department of agriculture and land stewardship from moving dogs and cats into this state, and providing for penalties.

Read first time under Rule 28 and referred to committee on **Agriculture**.

[Senate File 342](#), by Guth, a bill for an act relating to persons maintaining or overseeing the maintenance of dogs and cats, including animal rescues, animal shelters, and pounds, by requiring reports on the receipt and disposition of the dogs and cats, and providing for civil penalties.

Read first time under Rule 28 and referred to committee on **Agriculture**.

[Senate File 343](#), by Guth, a bill for an act regarding the nullification of regulations of the United States environmental protection agency in this state.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

## STUDY BILLS RECEIVED

**SSB 1235 State Government**

Relating to continuing education requirements for licensed barbers.

**SSB 1236 Education**

Relating to school attendance requirements and school attendance support programs and funding, and including applicability provisions.

**SSB 1237 Labor and Business Relations**

Requiring that disconnection devices be installed for certain distributed electric generation facilities, providing penalties, and including effective date provisions.

**SSB 1238 Judiciary**

Relating to fiduciary access to digital assets and including applicability provisions.

**SSB 1239 Education**

Relating to statewide assessments of student progress utilizing core academic indicators.

**SSB 1240 Human Resources**

Relating to the placement in a subacute care facility of a respondent pursuant to an application for involuntary commitment and after a hospitalization hearing.

**SSB 1241 Transportation**

Relating to vehicle recyclers, including the transfer of motor vehicles to vehicle recyclers and compliance with the national motor vehicle title information system, and making penalties applicable.

## SUBCOMMITTEE ASSIGNMENTS

[Senate File 285](#)

HUMAN RESOURCES: Mathis, Chair; Allen and Johnson

[Senate File 304](#)

JUDICIARY: Horn, Chair; Taylor and Whitver

[Senate File 307](#)

HUMAN RESOURCES: Allen, Chair; Chelgren and Dotzler

[Senate File 308](#)

HUMAN RESOURCES: Taylor, Chair; Costello and Jochum

[Senate File 311](#)

EDUCATION: Bowman, Chair; Hart and Sinclair

[Senate File 312](#)

JUDICIARY: Petersen, Chair; Kinney and Schneider

[Senate File 317](#)

EDUCATION: Hart, Chair; Behn and Mathis

[Senate File 318](#)

AGRICULTURE: Kinney, Chair; Ragan and Zumbach

[Senate File 319](#)

JUDICIARY: Quirnbach, Chair; Horn and Schneider

[Senate File 320](#)

JUDICIARY: Hogg, Chair; Garrett and Sadders

[SSB 1235](#)

STATE GOVERNMENT: Horn, Chair; Bertrand and Schoenjahn

[SSB 1236](#)

EDUCATION: Quirmbach, Chair; Hogg and Johnson

[SSB 1237](#)

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Dotzler and Whitver

[SSB 1238](#)

JUDICIARY: Hogg, Chair; Bisignano and Schneider

[SSB 1239](#)

EDUCATION: Quirmbach, Chair; Dvorsky, Hart, Schultz, and Sinclair

[SSB 1240](#)

HUMAN RESOURCES: Ragan, Chair; Dotzler and Johnson

[SSB 1241](#)

TRANSPORTATION: Bowman, Chair; Brase and Kapucian

## FINAL COMMITTEE REPORTS OF BILL ACTION

### APPROPRIATIONS

**Bill Title:** [SENATE FILE 323](#) (formerly [SF 177](#)), a bill for an act concerning lottery games and revenue for support of veterans.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 21: Dvorsky, Danielson, Chapman, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### ALSO:

**Bill Title:** [SENATE FILE 333](#) (formerly [SF 140](#)), a bill for an act relating to the acceptance of eligible patients into state mental health institutes and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 21: Dvorsky, Danielson, Chapman, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### HUMAN RESOURCES

**Bill Title:** [SENATE FILE 329 \(SSB 1198\)](#), a bill for an act relating to hospital and long-term care pharmacy practice for pneumococcal vaccines.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Mathis, Ragan, Johnson, Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm. Nays, none. Absent, 1: Chelgren.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### ALSO:

**Bill Title:** \*[SENATE FILE 334](#) (formerly [SF 31](#)), a bill for an act relating to sexual orientation change efforts and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Mathis, Ragan, Allen, Bolkcom, Dotzler, Jochum, Taylor, and Wilhelm. Nays, 4: Johnson, Costello, Garret, and Segebart. Absent, 1: Chelgren.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on [Senate File 334](#), and they were attached to the committee report.

#### ALSO:

**Bill Title:** \*[SENATE FILE 335 \(SSB 1165\)](#), a bill for an act relating to the release of certain information to a procurement organization.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Mathis, Ragan, Johnson, Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm. Nays, none. Absent, 1: Chelgren.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on [Senate File 335](#), and they were attached to the committee report.

**JUDICIARY**

**Bill Title:** \*[SENATE FILE 336](#) (formerly [SF 237](#)), a bill for an act relating to civil protective orders in sexual abuse cases, and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirmbach, Shipley, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 336](#), and they were attached to the committee report.

**STATE GOVERNMENT**

**Bill Title:** [SENATE FILE 321](#) ([SSB 1174](#)), a bill for an act concerning financial incentives received under a master contract established by the department of administrative services.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Danielson, Courtney, Bertrand, Chapman, Dearden, Dvorsky, Feenstra, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver. Nays, none. Absent, 1: Bowman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 322](#) (formerly [SF 10](#)), a bill for an act requiring that a primary runoff election be held in the event of an inconclusive primary election for certain offices, and including effective date and applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Danielson, Courtney, Bertrand, Chapman, Dearden, Dvorsky, Feenstra, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver. Nays, none. Absent, 1: Bowman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** \*[SENATE FILE 328](#) ([SSB 1173](#)), a bill for an act related to absentee ballot deadlines.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Danielson, Courtney, Dearden, Dvorsky, Horn, McCoy, Petersen, and Schoenjahn. Nays, 6: Bertrand, Chapman, Feenstra, Johnson, Schultz, and Whitver. Absent, 1: Bowman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 328](#), and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*[SENATE FILE 331 \(SSB 1152\)](#), a bill for an act permitting electronic voter registration and including penalties and effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Danielson, Courtney, Dearden, Dvorsky, Horn, McCoy, Petersen, and Schoenjahn. Nays, 6: Bertrand, Chapman, Feenstra, Johnson, Schultz, and Whitver. Absent, 1: Bowman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 331](#), and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*[SENATE FILE 332 \(SSB 1133\)](#), a bill for an act concerning department of administrative services' procedures regarding the designation of individuals as ineligible for state employment and the public solicitation of individuals to fill certain state employment vacancies.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Danielson, Courtney, Bertrand, Chapman, Dearden, Dvorsky, Feenstra, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver. Nays, none. Absent, 1: Bowman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 332](#), and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*[SENATE FILE 337 \(SSB 1130\)](#), a bill for an act providing for the licensing of polysomnographic technologists and exceptions thereto, making penalties applicable, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Danielson, Courtney, Bertrand, Chapman, Dearden, Dvorsky, Feenstra, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver. Nays, none. Absent, 1: Bowman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 337](#), and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*[SENATE FILE 338 \(SSB 1123\)](#), a bill for an act providing for charitable food donations to food banks and similar organizations, and providing for appropriations.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Danielson, Courtney, Bertrand, Dearden, Dvorsky, Horn, McCoy, Petersen, and Schoenjahn. Nays, 5: Chapman, Feenstra, Johnson, Schultz, and Whitver. Absent, 1: Bowman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 338](#), and they were attached to the committee report.